

Housing Court Voluntary Prefiling Mediation Project

The filing party may elect to mediate a Housing Court issue prior to filing for a court hearing by bringing their complaint to the court and requesting voluntary mediation.

FILING PARTY AGREES TO VOLUNTARY MEDIATION

Complainant (landlord or tenant)

- Prepare complaint and Power of Attorney if needed. Checks box requesting voluntary mediation and bring papers and filing fee to Hennepin County District Court A-1700.
- Filing party completes the Request for Voluntary Mediation form and a self-addressed envelope.

Cases Filed in Suburbs

- Filing party completes Request for Voluntary Mediation form and a self-addressed envelope.

MEDIATION PROGRAMS

- Contact all parties and see if they are willing to mediate.

If all parties are willing to mediate:

- Mediation date is set.
- Parties are informed of the date, time and place.

MEDIATED – AGREEMENT REACHED:

- Parties sign a Settlement Agreement.

MEDIATED – NO AGREEMENT

- Mediator serves the summons, copy of complaint, standing discovery order (parties must exchange witnesses and/or documents at least 48 hours prior to hearing) on defendant, has Admission of Service signed. If not all defendants appeared at the mediation session, the non-moving party will be asked to sign an Admission of Service for any missing defendants assuming they have signed a Power of Authority granting the appearing parties the authority to sign the Admission of Service for all defendants.

Parties

- Appear in court.

Courtroom

- Calls case and attempt to resolve. If not resolved, heard as trial that day.

IF OTHER PARTY IS NOT WILLING TO MEDIATE

Mediation Program

- Inform the filing party and the court.

Filing Party

- Serve summons and copy of complaint on opposing party as usual.
- Brings service papers to court on the day of hearing.

Courtroom

- Call case first.

Enforcement of Settlement Agreement

If a settlement agreement needs to be enforced by the court, the requesting party shall file a complaint, copy of Mediated Settlement Agreement and Affidavit of Non-Compliance. A filing fee will also be due.

The court will prepare a summons with the earliest possible court date. The case will be set on a 2 PM calendar. Service will be the responsibility of the requesting party in accordance with the Minnesota Rules of Court. On the day of court, the case will be called first.

If the court finds that the Affidavit of Non-Compliance is unfounded, the case will be immediately expunged, if not, the case will move forward and be heard.